

**Fill in this information to identify the case:**

United States Bankruptcy Court for the:

EASTERN District of NEW YORK

(State)

Case number (if known): \_\_\_\_\_ Chapter 11☐ Check if this is an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy**

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

**1. Debtor's name**HUNTS POINT ENTERPRISES LLC**2. All other names debtor used in the last 8 years**F/K/A BKD HOLDINGS, LLC

Include any assumed names, trade names, and *doing business* as names

**3. Debtor's federal Employer Identification Number (EIN)**8 4 - 3 7 8 1 7 6 6**4. Debtor's address****Principal place of business**359 Van Brunt Street

Number Street

c/o Freshly Baked Holdings LLCBrooklyn

City

NY

State

11231

ZIP Code

Kings

County

**Mailing address, if different from principal place of business**

Number Street

P.O. Box

City

State

ZIP Code

**Location of principal assets, if different from principal place of business**

Number Street

City

State

ZIP Code

**5. Debtor's website (URL)**

## HUNTS POINT ENTERPRISES LLC

Debtor

Name

Case number (if known)

## 6. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other. Specify: \_\_\_\_\_

## 7. Describe debtor's business

## A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

## B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.5 5 1 1

## 8. Under which chapter of the Bankruptcy Code is the debtor filing?

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

## Check one:

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11. Check all that apply:

- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

Debtor HUNTS POINT ENTERPRISES LLC Case number (if known) \_\_\_\_\_  
 Name

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

☒ No

☐ Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
 MM / DD / YYYY

If more than 2 cases, attach a separate list.

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
 MM / DD / YYYY

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

☒ No

☐ Yes. Debtor \_\_\_\_\_ Relationship \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_  
 MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Case number, if known \_\_\_\_\_

**11. Why is the case filed in this district?**

*Check all that apply:*

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other \_\_\_\_\_

**Where is the property?**

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_ State ZIP Code \_\_\_\_\_

**Is the property insured?**

☐ No

☐ Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information**

Debtor **HUNTS POINT ENTERPRISES LLC**  
Name

Case number (if known) \_\_\_\_\_

**13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

**14. Estimated number of creditors**

- ☒ 1-49 ☐ 1,000-5,000 ☐ 25,001-50,000
- ☐ 50-99 ☐ 5,001-10,000 ☐ 50,001-100,000
- ☐ 100-199 ☐ 10,001-25,000 ☐ More than 100,000
- ☐ 200-999

**15. Estimated assets**

- ☐ \$0-\$50,000 ☐ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
- ☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
- ☒ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
- ☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

**16. Estimated liabilities**

- ☐ \$0-\$50,000 ☒ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
- ☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
- ☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
- ☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

**Request for Relief, Declaration, and Signatures**

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

6/23/2020

Executed on \_\_\_\_\_  
MM / DD / YYYY

**x** /s/ Mark Rimer

Signature of authorized representative of debtor

Title Authorized Officer

**Mark Rimer**

Printed name

Debtor **HUNTS POINT ENTERPRISES LLC**

Name

Case number (if known)

**18. Signature of attorney****X** /s/ Lawrence Morrison

Signature of attorney for debtor

Date 6/23/2020

MM / DD / YYYY

Lawrence F. Morrison

Printed name

Morrison Tenenbaum PLLC

Firm name

87 Walker Street, Second Floor

Number Street

New York

City

NY

State

10013

ZIP Code

212-620-0938

Contact phone

lmorrison@m-t-law.com

Email address

2889590

Bar number

NY

State

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X

In re:

**HUNTS POINT ENTERPRISES LLC,**

Debtor.

-----X

Chapter 11

Case No. 20- \_\_\_\_\_

**VERIFICATION OF CREDITOR MATRIX/LIST OF CREDITORS**

The undersigned Debtor hereby verifies that the creditor matrix/list of creditors submitted herein is true and correct to the best of his knowledge.

HUNTS POINT ENTERPRISES LLC

By: KUZARI MANAGER 27323 LLC  
Managing Member

By: /s/ Mark Rimer  
Mark Rimer, Member

INTERNEX CAPITAL FUNDING LLC  
205 E. 42<sup>nd</sup> Street  
New York, NY 10017

SMTM Group Inc.  
291 Truman Drive  
Cresskill, NJ 07626

JOEL SCHONFELD  
1164 East 156<sup>th</sup> Street  
Bronx, NY 10474

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re:

**HUNTS POINT ENTERPRISES LLC,**

Debtor.

Chapter 11

Case No. 20- \_\_\_\_\_

-----X

**CORPORATE RESOLUTION**

The undersigned, as the sole Member (the “Member”) of Hunts Point Enterprises LLC, a Delaware limited liability company (the “Company”) does hereby certify as follows:

**WHEREAS**, the Member consents to the adoption of the resolutions set forth herein by written consent and to taking of any and all actions by Mark Rimer (the “Authorized Officer”), the Company, and the Company’s employees and representatives necessary or appropriate to give effect to such resolutions and directs that this consent be placed in the minutes and records of the Company.

**NOW, THEREFORE, BE IT:**

**RESOLVED**, that the Member has determined that it is in the best interest of the Company to file a voluntary petition in the United States Bankruptcy Court pursuant to chapter 11 of title 11 of the United States Code (the “Bankruptcy Court”);

**RESOLVED**, that the Authorized Officer and the Company’s employees and representatives are authorized to proceed with the preparation and filing of a voluntary petition for relief under chapter 11 of the Bankruptcy Code for the Company, to be filed as and at a time the Authorized Officer deems appropriate; and

**RESOLVED**, that the law firm of Morrison Tenenbaum PLLC be, and hereby is, retained as attorneys for the Company to advise the Company in connection with its chapter 11 bankruptcy



filing, subject to approval (for services rendered after the filing of a bankruptcy petition) of the Bankruptcy Court, and the retention of Morrison Tenenbaum PLLC to perform all services rendered to date in aid of the Company's prospective chapter 11 filing and otherwise is hereby ratified in all respects; and

**RESOLVED**, that the Authorized Officer, and any other Company employee or representative (including without limitation, Morrison Tenenbaum PLLC) designated by the Authorized Officer, is authorized to negotiate with the Company's creditors and prepare and propose the terms of a plan of reorganization or other creditor treatment as he (or his designees) may deem to be feasible and in the best interest of the Company and its creditors; and

**RESOLVED**, that the Authorized Officer is hereby specifically authorized: (i) to prepare and file (or to have prepared and filed) on behalf of the Company a petition for relief under chapter 11 of the Bankruptcy Code; (ii) to execute on behalf of the Company such petitions, schedules, statements as he may deem necessary or appropriate in connection therewith; and (iii) to execute such further documents and do such further acts as the Authorized Officer may deem necessary or appropriate with respect to the foregoing, or any of the other resolutions set forth herein, including the filing of any petition or motion for relief under any other chapter of the Bankruptcy Code, the execution of any document or the doing of any act by the Authorized Officer or his designees in connection with such proceedings to be conclusively presumed to be authorized; and

**RESOLVED**, that the Authorized Officer is authorized to authorize and/or direct the filing by Morrison Tenenbaum PLLC of any paper, pleading or other document, or the taking of any other action by Morrison Tenenbaum PLLC, that he may deem necessary or appropriate in connection with the Company's chapter 11 case or restructuring efforts;

And

**RESOLVED**, that the Authorized Officer be, and hereby is, authorized on behalf of the Company to take any and all actions, to execute, delivery, certify, file and/or record and perform

any and all documents, agreements, instruments, motions, affidavits, declarations, applications for approval or ruling of governmental or regulatory authorities or certificates and to take any and all steps, including the payment of any costs, fees, or expenses, deemed by the Authorized Officer to be necessary or desirable to carry out the purposes and intent of each of the foregoing resolutions and to effectuate a successful chapter 11 case; and

**RESOLVED**, that any and all actions heretofore taken by the Authorized Officer or his designees, including without limitation any Company employee or representative, in the name and on behalf of the Company in furtherance of the purpose and intent of any or all of the foregoing resolutions, be, and hereby are, ratified, confirmed and approved in all respects.

The undersigned further certifies that the foregoing resolutions are in full force and effect on the date hereof as resolutions duly adopted by the Member and have been in full force and effect at all times subsequent to their adoption, not having been amended, repealed or modified.

**IN WITNESS WHEREOF**, the undersigned has executed this certificate as of June 23, 2020.

KUZARI MANAGER 27323 LLC

By /s/ Mark Rimer  
Mark Rimer, Member